## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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| § | CIVIL ACTION NO. H-09-2653 |
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## **ORDER**

Before the Magistrate Judge upon referral from the District Judge is "Plaintiffs' Motion for Leave to Amend the Complaint and to Joint [sic] Plaintiffs" (Document No. 11). In that motion, while Plaintiffs have asked for leave to amend their complaint to join additional Plaintiffs, what Plaintiffs actually want is to be able to file a Motion for Conditional Certification of a class under the Fair Labor Standards Act ("FLSA"). Having considered the motion, the response in opposition, and Plaintiffs' reply, it is

ORDERED that "Plaintiffs' Motion for Leave to Amend the Complaint and to Joint [sic] Plaintiffs" (Document No. 11) is GRANTED in PART and DENIED in PART. Plaintiffs may not file an amended complaint joining additional individual Plaintiffs, but may, within seven days after the entry of this Order, file a Motion for Conditional Certification under the FLSA.

Signed at Houston, Texas, this 64 day of May, 2010.

FRANCES H. STACY

UNITED STATES MAGISTRATE JUDGE